

AMENDED IN ASSEMBLY JUNE 19, 2013

AMENDED IN SENATE MAY 8, 2013

AMENDED IN SENATE APRIL 11, 2013

AMENDED IN SENATE APRIL 1, 2013

**SENATE BILL**

**No. 236**

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**Introduced by Senator Pavley**

(Principal coauthor: Assembly Member Gorell)

February 12, 2013

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An act to amend Section 37710 of, and to add and repeal Section 37712 of, the Education Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 236, as amended, Pavley. School districts: four-day school week: Moorpark Unified School District.

Existing law authorizes certain school districts to operate one or more schools on a 4-day school week if the school district complies with specified instructional time requirements and other requirements related to the 4-day school week.

This bill would, beginning in the 2013–14 fiscal year, authorize the Moorpark Unified School District to operate one or more high schools offering a middle college program on a 4-day school week if it complies with the specified instructional time requirements and other requirements related to the 4-day school week. The bill would require the authority of a school in the Moorpark Unified School District to operate on a 4-day school week to be permanently revoked if the school fails to achieve its Academic Performance Index growth target. The bill would authorize the Moorpark Unified School District operating a school on

a 4-day school week, as described above, to claim a day of attendance pursuant to a provision related to *attendance in early college high schools and middle college high schools, and specified provisions related to the operation of middle college high schools*. The bill would make these provisions inoperative on June 30, 2018, and would repeal these provisions as of January 1, 2019.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Moorpark Unified School District.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 37710 of the Education Code is amended  
2 to read:

3 37710. If a school operating on a four-day school week  
4 pursuant to Section 37710.3, 37710.5, 37711, or 37712 fails to  
5 achieve its Academic Performance Index growth target pursuant  
6 to Section 52052, the authority of that school to operate on a  
7 four-day school week shall be permanently revoked commencing  
8 with the beginning of the following school year.

9 SEC. 2. Section 37712 is added to the Education Code, to read:

10 37712. (a) Beginning in the 2013–14 fiscal year, the Moorpark  
11 Unified School District may operate one or more high schools  
12 offering a middle college program in the school district on a  
13 four-day school week, if the school district complies with the  
14 instructional time requirements specified in Section 37701 and the  
15 other requirements of this chapter. The state board may waive the  
16 five-consecutive-day operating requirements for a middle college  
17 program that operates on a four-day school week pursuant to this  
18 section, provided that the school district meets the minimum time  
19 requirement for the middle college program.

20 (b) If the school district operates one or more schools on a  
21 four-day school week pursuant to this section, and the program  
22 for the school year provides fewer than the 180 days of instruction  
23 required under Section 46200, the Superintendent shall reduce the  
24 base revenue limit per unit of average daily attendance for that  
25 fiscal year by the amount the school district would have received

1 for the increase received pursuant to subdivision (a) of Section  
2 46200, as adjusted in fiscal years subsequent to the 1984–85 fiscal  
3 year. If the school district operates one or more schools on a  
4 four-day school week pursuant to this section, and the program  
5 provides fewer than the minimum instructional minutes required  
6 under Section 46201, the Superintendent shall reduce the base  
7 revenue limit per unit of average daily attendance for that fiscal  
8 year in which the reduction occurs by the amount the school district  
9 would have received for the increase in the base revenue limit per  
10 unit of average daily attendance pursuant to subdivision (a) of  
11 Section 46201, as adjusted in the 1987–88 fiscal year and  
12 subsequent fiscal years.

13 (c) Notwithstanding Section 37710, if a small school having  
14 between 11 and 99 valid Standardized Testing and Reporting  
15 Program test scores operating on a four-day school week fails to  
16 achieve its Academic Performance Index growth target pursuant  
17 to Section 52052 for two consecutive years, the authority of that  
18 school to operate on a four-day school week shall be permanently  
19 revoked commencing with the school year following the second  
20 consecutive year the school failed to achieve its Academic  
21 Performance Index growth rate.

22 (d) If the school district operates one or more schools on a  
23 four-day school week pursuant to this section, the school district  
24 shall submit a report to the department, the Senate Committee on  
25 Education, and the Assembly Committee on Education on or before  
26 January 15, 2018. The report shall include, but not necessarily be  
27 limited to, information on all of the following:

28 (1) Programs the school district offered on the fifth schoolday  
29 and their participation rates.

30 (2) If the four-day school week schedule resulted in fiscal  
31 savings.

32 (3) Impact on overall attendance of the schools operating a  
33 four-day school week.

34 (4) Programs for which the state board waived minimum time  
35 and five-consecutive-day requirements and the operational and  
36 educational effects of the programs if they operated at less time  
37 than required.

38 (5) The impact of the four-day school week on crime statistics,  
39 especially on the day on which school would otherwise be in  
40 session.

(6) Information on the Academic Performance Index, pursuant to Section 52052, for every year a school in the school district operated on a four-day school week. The information shall include, but not necessarily be limited to, the base and growth Academic Performance Index of each school that operated on a four-day school week and whether that school met the Academic Performance Index growth targets.

(7) Specific outcomes for pupils attending a school operating on a four-day school week including, but not limited to, attendance rates, graduation rates, college entrance and attendance rates, and employment rates of pupils who do not attend college.

(e) The Moorpark Unified School District operating one or more schools on a four-day school week pursuant to this section may claim a day of attendance for the pupils enrolled in a school operating on a four-day school week pursuant to ~~Section 46146.5~~ Sections 11300, 11301, and 46146.5.

(f) This section shall become inoperative on June 30, 2018, and, as of January 1, 2019, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2019, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 3. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances facing many of the pupils enrolled in the Moorpark Unified School District.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order for the Moorpark Unified School District to use the four-day school week authorization provided by this act in the 2013–14 school year, it is necessary that this act take effect immediately.